

MEMORIAL

OF THE

PRESIDENT AND DIRECTORS OF THE UNION BANK OF MARYLAND,

*For the Correction of a Mistake made by the Commissioners under the
Convention with France of 1831, &c.*

MAY 24, 1836.—Referred to the Committee on Finance.

MAY 26, 1836.—Resolution S. 20 reported, and a letter with documents from the Secretary of the Treasury laid upon the table by the chairman of the Committee on Finance, which, with this memorial, were ordered to be printed.

To the Senate and House of Representatives of the United States :

The memorial of the President and Directors of the Union Bank of
Maryland

RESPECTFULLY REPRESENTS :

That your memorialists, as assignees of the mercantile firm of Hollins and McBlair, and of John S. Stiles, executor of George Stiles, deceased, became interested to the extent of two-thirds in the schooner Trim, of Baltimore, and cargo, seized at St. Sebastian's by the French authorities in 1809—the remaining one-third of said vessel and cargo belonging to Auguste J. Schwartze, assignee of Christopher Deshon, one of the original owners with the said Hollins and McBlair and George Stiles. That your memorialists preferred their claim for compensation for the loss of said vessel and cargo before the Commissioners under the convention with France of 1831 ; who, after examination thereof, admitted the same, and awarded the sum of \$59,451 46 as the value of said vessel, freight, cargo, and commissions—two-thirds of which were awarded to your memorialists, and the remaining third to the said Auguste J. Schwartze. That, by a mistake in figures, however, in the division of the sum awarded, the said two-thirds, instead of being stated in the account as \$39,634 31, were stated as but \$29,634 31 ; although, in the addition of the one-third aforesaid, (which is correctly stated as \$19,817 15,) and the said two-thirds, (incorrectly stated as above,) the total is made conformable to the award, to wit, \$59,451 46, thus rendering the mistake apparent. That in entering this case upon the journal of the Commissioners, from the original award itself, the gross amount is

correctly stated as \$59,451 46, although the mistake above mentioned is continued in the item of two-thirds awarded to your memorialists; but, in transferring the case from the journal to the book of awards, the error in the item of the two-thirds has been carried, by the person who posted the same, into the sum total, which is made but \$49,451 46, when in truth the amount awarded by the Commissioners was \$59,451 46, making a difference against your memorialists of \$10,000. That the Commissioners under the said convention having no longer any power in this matter, your memorialists are advised that they can only have relief through the aid of Congress; and they therefore respectfully pray that authority may be given to the Secretary of the Treasury to rectify the mistake herein mentioned, and to give to your memorialists, in the final distribution of the funds received under said convention, the full benefit of the award of the Commissioners as made in their favor.

Your memorialists refer for proof of what is here stated to certified copies of the original award, the entry in the journal of the Commissioners, and the entry in the book of awards.

For the President and Directors of the Union Bank of Maryland,

JOHN H. B. LATROBE,

Agent and Attorney.

May 25, 1836.

TREASURY DEPARTMENT,

May 25, 1836.

SIR: I herewith return the petition and other papers of the Union Bank of Maryland, received in your letter of yesterday, and have to inform you that, in case it be deemed competent, in this stage of the business, (part of the certificates having issued,) for Congress to interfere, a joint resolution requiring and empowering the Secretary of the Treasury to make the correction desired, would effect the object. But, in that event, it would seem expedient to direct him to accomplish the end sought when making the payment of the two last instalments, as the others will be in part discharged in a few days; and to accomplish it then by altering the proportion paid on each certificate, so that all the claimants ultimately shall obtain their just proportion of the whole indemnity, as in fact intended to be awarded, and only that proportion.

I have the honor to be,

Very respectfully,

Your obedient servant,

LEVI WOODBURY,

Secretary of the Treasury.

HON. DANIEL WEBSTER,

Chairman Committee on Finance, U. S. Senate.

[*Copy from the Journal.*]

FRIDAY, November 20, 1835.

Schooner Trim, (BUNBURY.)

The Board having heretofore received, examined, and allowed this claim, proceeded this day to ascertain the amount thereof, and do award to 1108. The Union Bank of Maryland, assignees of Hollins & McBlair, and of John S. Stiles, executor of George Stiles, - - \$29,634 31

1108. Augustus Jacob Schwartz, assignee of Christopher Deshon, - - - - - 19,817 15

\$59,451 46

[*Copy.*]

Schooner Trim, (BUNBURY,) No. 1108, and awards, for

Vessel, as per proof C, less than per statement, - - \$13,000 00

Freight, at \$25 per ton, - - - - - 5,192 00

Cargo, with commission of 2½ per cent., covered at 20 and 2 per cent., - - - - - 39,005 73

Expenses, as per No. 13, annexed to deposition D, without the interest, - - - - - 2,253 73

\$59,451 46

To No. 1108, President and Directors of the Union Bank of Maryland, and assignees of Hollins & McBlair, and George Stiles.

Distributed as follows:

To the President and Directors of the Union Bank of Maryland, as assignees of Hollins & McBlair, and George Stiles, two-thirds, - - - - - \$29,634 31

To Augustus J. Schwartz, as assignee of Christopher Deshon, one-third, - - - - - 19,817 15

\$59,451 46

November 19, 1835.

G. W. CAMPBELL, R. M. S.

[*Copy.*]

Schooner Trim, (BUNBURY.)

1108. The Union Bank of Maryland, assignees of Hollins & McBlair, and of John S. Stiles, executor of George Stiles, - - \$29,634 31

Augustus Jacob Schwartz, assignee of Christopher Deshon, 19,817 15

Forty-nine thousand four hundred and fifty-one dollars } \$49,451 46
and forty-six cents, - - - - - }

